

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

JUL 28 2009

MARIO ULLOA,

Petitioner,

vs.

HECTOR LEDEZMA, Warden,

Respondent.

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W. H. DEPUTY

No. CIV-08-864-W

ORDER

On July 1, 2009, United States Magistrate Judge Valerie K. Couch issued a Second Report and Recommendation in this matter and recommended that the Court grant the request of respondent Hector Ledezma, Warden, Federal Correctional Institution, to transfer this action to the United States District Court for the Western District of Texas. See Response [Doc. 25] at 3-5. Petitioner Mario Ulloa was advised of his right to object to the Second Report and Recommendation, but no objection has been filed within the allotted time.


Upon review of the record, the Court concurs with Magistrate Judge Couch's suggested disposition of this matter. Accordingly, the Court

- (1) ADOPTS the Second Report and Recommendation issued on July 1, 2009;
- (2) GRANTS Ledezma's request to transfer this action to the United States District Court for the Western District of Texas and in so doing, hereby TRANSFERS this matter to that district court;
- (3) ORDERS that such transfer is without prejudice to Ulloa's right to refile this action in this judicial district or to request re-transfer to this judicial district should the

transferee court decline to exercise jurisdiction; and

(4) DIRECTS the Clerk of this Court to send a copy of this Order, together with copies of all necessary papers, pleadings and Orders filed in this matter, to the Clerk of the United States District Court for the Western District of Texas.

ENTERED this 28th day of July, 2009.



LEE R. WEST
UNITED STATES DISTRICT JUDGE